Previous references.

Serial No.

Later references.

PRESERVED

G.R. S.

Office of the Secretary to the Representative Assembly and Legislative Council

B for May 1942

SUBJECT.

Amendment of the Cotton ginning and Pressing Factories Act 1929..

To

The Compiler Mysore Gazette.

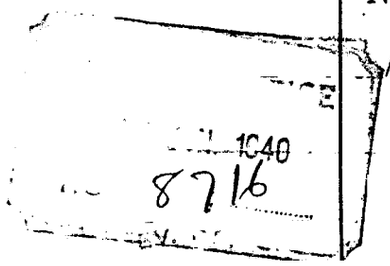
No. R2 1321 Legi 42-41-1. dated

Directs the publication of the Bill

Amendments to the Cotton Ginning and Pressing Factories

General and Revenue Secretariat | I&C File No. 266 of 1939 | [App. F. III–2

Serial No.



To The Secretary, Indian Central Cotton Committee, Bombay.

D 5298 d 17-5-40.

States that the matter is still under the consideration of Govt.

8) G.O. re: Procedure for measures legislation is Subd.

Flag F
P. 362-70/Legis dated 1-30-1 16th July, 1930.

Leg 20/5

9) Para 7.
For Penal and codes

24/6/40

10) (Dr by)
The draft amendments may be appr
(Secy. Agr)

Ce 9/6

11) 9/6/40

12) Council matter may be disposed of by Circulation
(Secy)

Ce 9/6

13) 10/6

Ch. Sec. 10/6

Ce 11/6

14) CB. Circulate
11/6

15) Circular memo drafted
Signed 12/6

NOTE—Contn. Sheet

OFFICE OF THE FIRST MEMBER OF COUNCIL
JUN 7 1940
No. 11622

Amendments to the Cotton Ginning and Pressing Factories Act.

Re File No 266 of 1940.

General and Revenue Secretariat.

Serial No.

OFFICE OF THE FIRST MEMBER OF COUNCIL
JUL 2 1940
No. 70

SECY. DEV. DEPT.
1. JUL. 1940
GOVT. OF MYSORE

VI.
~~Draft~~ D. F. N. Submd

16/6 18) For favour of approval.
2/6. Fair draft will be submitted after approval
I.D.)
D.W.G.)

Secy. Dev.) 19) Ce

20) Signed FN is kept below. 1/7 1/7

Telg. 21) Secy. Dev.
6/7/40 Seven) Ce 8/7/40

(Signed by Seven)

Final Note by the First Member of Council.

Subject.—

Proposal to amend the Cotton Ginning and Pressing Factories Act, 1929.

24) The Government of India having amended certain sections of the Cotton Ginning and Pressing Factories Act, 1925, the Secretary, Indian Central Cotton Committee, Bombay, suggests th the Act in force in the State may be amended on similar lines. The reasons for the amendments are explained clearly in the letter received from the Secretary, Indian Central Cotton Committee, Bombay. The Director of Industries and Commerce states that it is necessary to amend the Mysore Act so as to bring it into conformity with that of the Central Government and has accordingly submitted draft amendment to sections 9 and 13 of the Act for consideration.

25) I am of opinion that the Act may be amended on the lines suggested. The Dewan and the Second Member of Council agree in this view. I solicit the gracious approval of His Highness to the proposed amendment of certain sections of the Act.

N. Madhava Rao

Bangalore,
6th July 1940

MEMBER OF COUNCIL.

Record of Cases submitted for the Orders of

His Highness the Maharaja.

Subject.

Proposal to amend the Cottor
Ginning and Pressing Factories Act, 192

Chief Secy
MD
12-7-40

27)

Order.

~~KRW~~
9/7/40

1133 Ind.
p 1942

Amendment of the Cotton Ginning and Pressing Factories Act, 1925

General and Revenue Secretariat | Ref. File No. 266 of 1939. | [App. F. III-2

10

Serial No.

OF THE
AUG 12 1940
No. 1666

31) A draft Bill (Amendment) with a Statement of Objects and Reasons is submitted for approval

32) 33) The amendment to Rule 10 of the Rules will be notified separately for the purpose of inviting objections or criticisms if any. Submitted for orders.

TYPING SEC.
22 JULY 1940
GEN. &

Ker 18/7

33 a) Please put up fair draft

Gfeal
18/7

Typed dft submitted

Ker 23.7

34) For favour of approval

The file may be put to the Law Section after approval

24/7 Ker

Dwkg)

The draft bill & the statement of objects & reasons may be approved

Ce 11/8

Ker. Ker)

RM

14/8/40

For favour of scrutiny & further action

Law Sec.)

Ce 16/8

Ker

161

19

Letters—Vulcan House, Nicol Road,
Ballard Estate, Fort, Bombay.
Telegrams:- GOSSYPIUM.
Telephone No. 20964.
Post Box No

3018 p 640

No. 1321 of 1940

From

THE SECRETARY, INDIAN CENTRAL COTTON COMMITTEE,
BOMBAY.

1872

To

The Secretary to the Government of His Highness the
Maharaja of Mysore,
Development Department,
Bangalore.

GEOV. DEV. DEPT. 10 NOV 1940 GOVT. OF MYSORE

Dated Bombay, the NOV 8 - 1940

Subject:— Amendments to Mysore Cotton Ginning and Pressing Factories Act, 1925, and Rules thereunder.

Sir,

I have the honour to invite reference to your letter No.D.5298/HC.266-39, dated the 17th May 1940, and to request you kindly to let me know the present position regarding the above.

I have the honour to be,
Sir,
Your most obedient servant,

Secretary,
Indian Central Cotton Committee

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

3) Files for perusal.

3) The file in this subject has been referred to the Law Section and its return is awaited.

Ker 14/X 3) This may be sent to the Law Section for a note as to the steps to be taken in pursuance of the agreement.

4) 7/11/40

Anthony Law W/C 4) Legislation Section Please

WD 05636—GPB—36,000—20-3-40

3 15/11/40

Jones 15/11

3018/40
P

Amendments to Mysore Cotton Ginning Act

812

41) Submitted.
The Bill to amend the Cotton Ginning and Pressing Factories Act, was sent to the Pub. Ser. for further action.

42) The Bill will be placed before next session of the R.A. and Le.

~~Secretary for Secy~~
18/11/40
Secy

Asst Secy
Dev Dept

43) Draft reply sent
For favour of kind perusal & approval
2/12
2/12/40

Draft
45) Secy
3/12

TYPING SECTION
5 DEC. 1940
REN. & REV. SECTT.

To The Secy, Indian Central Cotton Committee.

No. 2652 dt 7-12-40

Draft of the Bill amending the Exports Act VI of 1929 as the lines suggested is under consideration.

To the Secy, Indian Central Cotton Committee (Ref. Para 8)

SECY. DEV. DEPT.
2. DEC. 1940
GOVT. OF MYSORE

Cotton Ginning & Pressing Factories (amendment) Bill V 14

Serial No.

46) The draft Bill follows the British Indian amending Act of 1939 and is in proper form. A clean copy is put up.

DEWAN'S OFFICE
29. APR. 1941
NO 7406

47) In the proposed sub-section (1A) of section 9, the date from which alterations or additions have to conform to the requirements of sub-section (1) remains to be fi In British India this date has been fixed as the 27th o February 1939. In order that the publication of the Bi or its presentation to the R.A. should not be taken undue advantage of and ~~new~~ alterations or additions beg before the provision becomes law in order to escape thi requirement, it is perhaps desirable that this date sho be either the date of the publication or presentation the Bill or a date earlier than that. If approved the date will be fixed as the 1st day of June 1941 or if t Bill has to be published on an earlier date, than that date.

25-5-41 may be fixed. Hm 2 23/4/41

48) A statement of general principles is also put up. Submitted for orders.

Hm 23.4.41

BKR 23-4-41

Law Secy)

49) May be approved

I Member)

Hm 2 23/4/41

BKR 23.4.41

50) Hm 27/4/41

51) This a Council matter and may be disposed of by circulation.

Dewan)

Hm 2 28/4/41

Hm 29-4-41

BKR 28.4.41

62 93 Pbo

Aden Currency (Issuing Factors) (Amt) Bill. 2823.

File No. of 194 . General and Reve Secretariat

Serial No.

As His Highness' orders have already been obtained, further action may be taken in the branch.

Typing for Mr Hunt
Make 4 Copies of Short Principles and Bill (Flag I)

Hun
2/5/41.

BXR
2.5.41

Typed Copies of the Bill and the Statement are placed below for being initialled before being sent to RA office.

Sec
16-5-41

BXR
16.5.41

TYPING SECTION
3 MAY 1941
GEN. & REV. SECTT.

OFFICE OF THE SECRETARY
Pvt. DS
16 MAY 1941
REGD

RA Office) Making fair Copies of the typed Copies of the Bill & Statement - returning the file.

Sec
16/5

MW
16/5

Copies have been taken & if approved the file will be returned

Sec
RA 17/5/41

Submitted for orders as to who should be in charge of the Bill in the RA.

Sec
2/6/41

BXR
2.6.41

Law Secy)

Dep. Secy may be in charge of the Bill

Dep Secy)
W/C.

Hun
2/6/41

Noted

Pvt
3/6/41

Law Secy W/C.

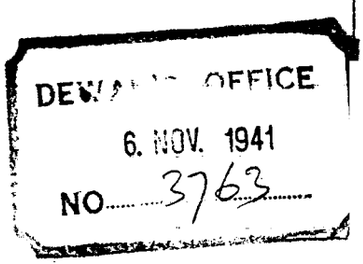
Hun
4/6/41

Cotton Ginning and Pressing Factories (Amendment) Bill

General and Revenue Secretariat
R. A. & L. C.

File No. of 194 App. F. III-2

Seria No.

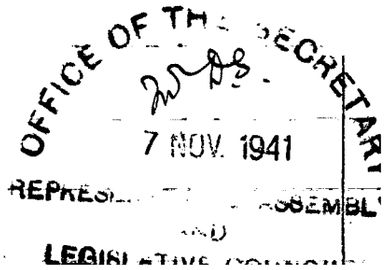


May be approved

Dewan)

Hm
5.11.41
Hm 6.11.41

Mll
7/11/41
Hm
7.11.41



Very Early action may be taken to publish the Bill under rule 36

Hm
7.11.41

Submitted with a draft notification for approval.

Hm
10.11.41

Hm
10.11.41

10/11/41

The Compiler, Mysore Gazette

Issued vide Q.17 RL dated 11th Novr, 1941

Direct the Publication of the bill in the Gazette under rule 36 of the Mysore Legislative Rules.

The Bill is an Controversial and is modelled on similar Amendments made in British India. Reference to a Select Committee appears to be unnecessary. The following motions are therefore suggested

1. Motion that the Bill published under rule 36 of the Mysore Legislative Rules, be taken into Consideration by the Council at once

Mover: Minister for Law
Seconder: Law Secretary

General and Revenue
Secretariat
R. A. & L. C

Serial No.

OFFICE OF THE
MINISTER FOR LAW
NOV 14 1941
No. 4715

SEOY. LAW OFFICE
12 NOV. 1941

Motion that the Bill be put

Mover: Minister for Law.

Seconder: (Law) Secretary — Adml

12.11.41

Law Secy

The Secy may record the Bill, as he will be nominated to the Council

Cotton Ginning and Pressing Factories (Amendment) Bill

General and Revenue Secretariat
R. A. & L. C.

File No. 228/R[illegible] of 19[illegible]

App. F. III-2

Serial No.

OFFICE OF THE [illegible] FOR I
DEC 29 1941
No. 6588

passed and signed by the President is put up under S.O. 45.

A.D.F.N. is also put up for Consideration

Hm 2 29.12.41

Law Secy)

D.F.N. submitted

Minister for Law) Hm 2 29.12.41

DEWAN'S OFFICE
3. JAN. 1942
NO. 5672

F.N. signed by Minister Hm 29.12.41

616

S.N. is submitted.

Hm 31.12.41

SECY. LAW DEPT.
2 JAN. 1942
GOVT OF MYSORE

Law Secy)

Dewan) Hm 2 2/1/...

Submitted to His Highness.

I submit herewith a Final Note by the Minister for Law on the subject of the promulgation into law of the Cotton Ginning and Pressing Factories (amendment) Bill for His Highness's gracious approval.

R. Madhava Rau

DEWAN.

Camp Trivandrum,
5th January 1942.

General and Revenue

Secretariat.

2647

SUBJECT:—

Promulgation into law of the Cotton Ginning and Pressing Factories (amendment) Bill.

(*)

31. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Ministers for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after, to the Chief Secretary for circulation to the Ministers.

34. In all other cases, the files will first be circulated to the Ministers at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Council of Ministers for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.) (*)

Chief Secretary to Government.

Through the Secretary to Government,

...L.A.W.....Department. 17.1.42

4011/20.1.42 Minister for Finance and Revenue. 21.1.42

7369/19.1.42 Minister for Law. 20-1-42

3982/22.1.42 Minister for Education. 23.1.42

Minister for Local Self-Govt. and Public Health (on deputation)

Law Secy. with Compliments.

23/1/42

23.1.42

26.1.42

WD 04199—GPB—500—27-9-41

The Mysore Ginning Pressing factories (Amendment) Act

25

1366/42

General and Revenue Secretariat
R. A. & L. C.

Legis File No. 37 of 1942. App. F. III-2

Serial No.

The previous assent of His Highness the Maharaja was accorded on 6.1.42 to promulgate the Bill into Law.

Draft G.O. directing publication of the Act as Act no XI of 1942 is put up.

27.1.42

Lee
Ranga)

BKR
27.1.42

Law Secy)

SECY. L... DEPT.
27 ... 1942.
GOVT OF MYSORE.

Hm
27.1.42

BKR
29.1.42

Issued No RL 1321 - Legis 42-41-1 dated 7th Jan 1942 to the Compiler Mysore Gazette Directs publication of the Cotton Ginning and pressing Factories (Amendment) Act, 1942 as Act No XI of 1942

If approved, this file will be recorded

JV.
9-5-42

BVN
19/5

19/5/42

ACT NO.XIV OF 1939

An Act to amend the Cotton Ginning and Pressing Factories Act, 1925, for certain purposes.

WHEREAS it is expedient to amend the Cotton Ginning and Pressing Factories Act, 1925 (XII of 1925) for the purposes hereinafter appearing:

It is hereby enacted as follows:-

Short title.

1. This Act may be called the Cotton Ginning and Pressing Factories (Amendment) Act, 1939.

Amendment of section 9 of Act XII of 1925.

2. In section 9 of the Cotton Ginning and Pressing Factories Act, 1925 (hereinafter referred to as the said Act)

(a) after sub-section (1) the following sub-section shall be inserted, namely:-

"(1A) In any cotton ginning factory, whether erected before or after the commencement of this Act-

(a) no structural alterations or additions, the construction of which commenced after the 27th day of February, 193[illegible] shall be made so as to minimise the degree of compliance of the factory as a whole with the requirements set forth in clauses (a) and (b) of sub-section (1), and

(b) every structural addition (whether actually attached to any existing structure in the factory or not), the construction of which commenced after the last-mention date, shall be constructed in accordance with plans and specifications approved by the prescribed authority:

Provided that nothing in this sub-section shall apply to any factory in which, after any alteration or addition has been made, only roller gins are used where the number of such gins is not more than four";

(b) in clause (a) of sub-section (4), after the word, figure and brackets "sub-section (1)" the word, letter, figure and brackets," sub-section (1A)" shall be inserted.

Amendment of section 14.

3.(1) Section 14 of the said Act shall be renumbered as sub-section (1) of section 14, and in the said section as so renumbered-

(a) for the words and figure "in accordance with section 4" the words and figure "with the mark prescribed under section 4 for the factory in which they were pressed" shall be substituted;

(b) the proviso shall be omitted.

(2) To the said section as so renumbered the following section shall be added, namely:-

"(2) Any bale marked in accordance with the provisions of section 4 shall, within the meaning of the Indian Evidence Act, 1872 (1872), be presumed for all purposes as between the parties to a contract for the purchase of baled cotton, to have been so marked before leaving the factory in which it was pressed".

In exercise of the powers conferred by section 12 of the otton Ginning and Pressing Factories Act, 1925 (XII of 1925), th entral Government is pleased to direct that, with effect from th st September 1939, the following further amendment shall be made n the Indian Cotton Ginning and Pressing Factories Rules, 1925

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

31

No. D 2346

Dated, Bangalore, 7th November 1939.

From

The Secretary to the Government of His Highness the Maharaja of Mysore,
Development Department.

To

The Director of Industries and Commerce in Mysore,
Bangalore.

Sir,

(To be returned with your reply).

I am directed to forward herewith, in original, letter dated 20th October 1939 from the Secretary, Indian Central Cotton Committ Bombay, suggesting certain amendments to the Mysore Cotton Ginning and Pressing Factories Act and the Rules framed thereunder on the lines of those issued to the Government of India Cotton Ginning and Pressing Factories Act 1925 and the Rules thereunder and to reques you to be so good as to state if any amendments of the Mysore Act a necessary and if so, to propose draft amendments for the considera-tion of Government.

I have the honour to be,

Sir,

Your most obedient servant,

for Secretary to Government,
Development Department.

Appendix F G—1]

SUBJECT.....

.....

.....

Section 9(c)

File No. 266-39

Serial No. 3

Diary No. of letter replied to .....

No. D 2347

To

The Secretary,
Indian Central Cotton Committee
Bombay

General and Revenue Secretariat

( )

the *193*

Date of issue.... 7/11/39

Signed by ....Mr. George Mathew

Sir,

With reference to your letter dated the 20th October 1939, suggesting certain Amendments to the Cotton Ginning and Pressing Factories Act and Rules ~~in force in Mysore in accordance with the Amendments to the Act issued by the Govt. of India~~, I am directed to state that the matter is engaging the attention of Govt. and the decision arrived at will be communicated to you in due course.

I have etc

for Secretary to Govt.
Dev. Dept.

List of enclosures.....

Copied by.....

Examined by .....

WD 0278—GPB—30,000—4-3-38

3/11/39.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. D 2347 *Dated, Bangalore,* 7th November 1939.

33

From

The Secretary to the Government of His Highness the Maharaja of Mysore,
Development Department.

To

The Secretary,
Indian Central Cotton Committee,
B o m b a y.

Sir,

With reference to your letter dated the 20th October 1939, suggesting certain amendments to the Mysore Cotton Ginning and Pressing Factories Act and the Rules framed thereunder, I am directed to state that the matter is engaging the attention of Government and that the decision arrived at will be communicated to you in due course.

I have the honour to be,
Sir,
Your most obedient servant,

for Secretary to Government,
Development Department.

Letters—Vulcan House, Nicol Road,
Ballard Estate, Fort, Bombay.
Telegrams:—GOSSYPIUM.
Telephone No. 20964.
Post Box No. 1002.

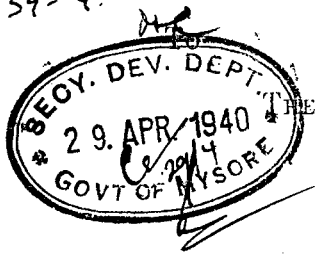
No. 4459 of 1940

4081

From D. N. Mahta, Esq., B.A.(Oxon.),
SECRETARY, INDIAN CENTRAL COTTON COMMITTEE,
BOMBAY.

RC266-39-4.

34



To The Secretary to the Government of
H.H. the Maharaja of Mysore,
Development Department,
Bangalore.

Dated Bombay, the APR 26 1940

Subject:— Amendments to Mysore Cotton Ginning and Pressing Factories Act, 1925 and Rules thereunder.

Sir,

I have the honour to invite reference to your letter No. D.2347, dated the 7th November 1939, and to request you kindly to let me know whether the Durbar has arrived at any decision regarding the above.

I have the honour to be,
Sir,
Your most obedient servant,

a. Sahai
Asst. Secretary,
Indian Central Cotton Committ

4081 / 4112

Tele { Phone No. 2004 / Grams—INDUSCOM.

IMMEDIATE.

In reply please quote number, date & short title.

GOVERNMENT OF MYSORE

DEPARTMENT OF INDUSTRIES AND COMMERCE.

SECY. DEV. DEPT. 30 APR 1940 GOVT OF MYSORE

GEN & REVENUE SECRETARIAT. 30 APR. 19 DEVELOPMENT BRANCH.

FROM B. G. A. MUDALIAR, ESQ., B.A., B.Sc., A.M.I., Mech.E.,
Director of Industries and Commerce in Mysore,
Bangalore.

To
C. E. NORONHA, ESQ., M.A.,
Secretary to the Government of Mysore,
Development Department, Bangalore.

No. F.227/39-40.

Enclosures Three

Dated the 26th April 1940.
29

SIR,

Amendments to the Mysore Cotton, Ginning and Pressing Factories Act on the lines of the Indian Act.

***

With reference to your letter No.D.2346 dated 7-11-1939 on the above subject, I have the honour to state that it is necessary to amend your Act and Rules to be in conformity with the amendments made in the Government of India Cotton, Ginning and Pressing Factories Act and Rules. Accordingly, I submit herewith for the consideration of Government draft amendments to the Act and Rules showing the text of the Section, amendments proposed and the section as amended.

I request that necessary further action may kindly be taken in the above matter.

I return herewith letter dated 20-10-1939 from the Secretary, Indian Central Cotton Committee, Bombay, suggesting amendments.

I have the honour to be,
Sir,
Your most obedient servant,

B G A Mudaliar
DIRECTOR.

BV2)26-4-40.

Appendix F G—1]

SUBJECT..... Amendments to Mysore Cotton Ginning and Pressing Factories Act, ~~1925~~ 1929 and Rules thereunder.

Section Inc.

File No. 286—39.

Serial No.

Diary No. of letter replied to.....

No. D 5298

To The Secretary
Indian central cotton
Committee, Bombay.

General and Revenue Secretariat

( )

the *19*

Date of issue..... 17/5/40

Signed by ..... Mr G.M

Sir,

With reference
to your letter No. 44
of 1940 dated the 26th
April, 1940, on the
Subject noted above
I am directed to state
that the matter
is still under the
consideration of Government
I have etc

List of enclosures.....

Copied by 15/5/40

Examined by.....

WD 03695—GPB—30,000—29-1-40

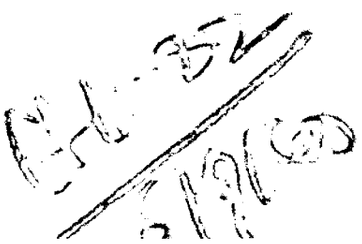
Sec 9/5

Secy to G

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)



D. F. N

Proposal to amend the Cotton Ginning and Pressing Factories Act, 1929.

The Government of India having amended certain sections ~~and rule under~~ of the Cotton Ginning and Pressing Factories Act 1925, the Secretary, Indian central Cotton Committee, Bombay, suggested that the Act ~~and Rules~~ in force in the State may be amended on similar lines. The Director of Industries and Commerce ~~who was consulted in the matter~~ States that it is necessary to amend the ~~local~~ Act ~~and Rules~~ so as to be bring it into conform

with the Central Government & ~~the~~ has accordingly submitted draft amendments to Sections 9 and 13 of the Act ~~framed under Rule 10 of the Rules for~~ for Consideration. I am of the Dewan and the Second Member of Council ~~have no objection to the amendments~~ proposed ~~and~~ I beg to solicit the gracious

Appendix F G—1]

SUBJECT..... Amendments to Mysore Cotton Ginning and Pressing Factories Act and Rules thereunder. —

Section Re

File No. 266—39

Serial No.

Diary No. of letter replied to.....

No. D 2652

To The Secretary,
Indian central Cotton
Committee Bombay.

General and Revenue Secretariat

( )

the *19*

Date of issue..... 7/12/40

Signed by ..... Mr Gen

Sir,

With reference to your letter No. 1321 of 1940 dated the 8th Nov. '40 on the above subject I am directed to state that a Bill amending the Existing Act VI of 1929 on the lines suggested is under consideration ~~at present~~.

List of enclosures.....

Copied by .....

Examined by .....

Manager
Re-74
Revise

Provided that nothing in this sub-section shall apply to any factory in which, after any alteration or addition has been made, only roller gins are used where the number of such gins is not more than four;

(b) In clause (a) of sub-section (4), after the word, figure and brackets "sub-section (i)" the word, letter, figure and brackets "sub-section (iA) shall be inserted.

3.(1) Section 13 of the said Act shall be renumbered as sub-section (i) of Section 13, and in the said section ~~also~~ as so renumbered,-

(a) for the words and figure "in accordance with Section 4" the words and figure "with the mark prescribed under section 4 for the factory in which they were pressed" shall be substituted;

(b) the proviso shall be omitted. ~~In~~

(2) In the said section as so re-renumbered the following sub section shall be added, namely:-

"(2) Any bale marked in accordance with the provisions of section 4 shall, within the meaning of the Indian Evidence Act 1872, be presumed for all purposes as between the parties to a contract for the ~~purpose~~ purchase of baled cotton, to have been so marked before leaving the factory in which it was pressed".

A BILL TO AMEND THE COTTON GINNING AND PRESSING FACTORIES ACT, 1929

WHEREAS it is expedient to amend the Cotton Ginning and Pressing Factories Act,1929, for the purposes hereinafter appearing;

It is hereby enacted as follows:-

Short title.

1. This Act may be called the Cotton Ginning and Pressing Factories (amendment) Act,194

Amendment of section 9, Act VI of 1929.

2. In section 9 of the Cotton Ginning and Pressing Factories Act,1929,(hereinafer referred to as the said Act),-

(a) after sub-section (1), the following sub-section shall be inserted, namely:-

"(1A)In any cotton ginning factory, whether erected before or after the commencement of this Act-

(a)no structural alterations or additions, the construction of which commenced after the --- day of ----, ---, shall be made so as to minimise the degree of compliance of the factory as a whole with the requirements set forth in clauses (a) and (b) of sub-section (1), and

(b)every structural addition (whether actually attached to any existing structure in the factory or not), the construction of which commenced after the last mentioned date, shall be constructed in accordance with plans and specifications approved by the prescribed authority:

Provided that nothing in this sub-section shall apply to any factory in which, after any alterations or additions has been made, only roller gins are used where the number of such gins is not more than four.";

(b) in clause (a) of sub-section (4), after the word, figure and brackets "sub-section (1)" the word, letter figure and brackets "sub-section (1A)" shall be inserted.

3.(1) Section 13 of the said Act shall be renumbered as sub-section (1) of section 13, and in the said section as so renumbered,-

(a) for the words and figure "in accordance with section the words and figure "with the mark prescribed under section 4 for the factory in which they were pressed" shall be substituted;

(b) the proviso shall be omitted.

(2) To the said section as so renumbered the followi

sub-section shall be added, namely:-

"(2) Any bale marked in accordance with the provisions of section 4 shall, within the meaning of the Indian Evidence Act,1872, as in force in Mysore, be presumed for all purposes as between the parties to a contract for the purchase of baled cotton, to have been so mar before leaving the factory in which it was pressed."

MENT OF GENERAL PRINCIPLES.

The Cotton Ginning and Pressing Factories Act was passed in 1929 on the lines of the corresponding British Indian Act of 1925. In British India, as a result of the recommendations of the Indian Central Cotton Committee certain amendments were made in 1939. The present Bill seeks to incorporate them in th Mysore Act.

The amendment proposed to section 9 is intended to meet complaints that in certain ~~xxxxx~~ cotton ginning and pressing factories the construction of which was commenced or completed before the Act came into operation, additions or alterations a made which are not in accordance with the prescribed specifications. By this amendment, the factory owner making alterations ~~amendments~~ additions to his factory has to conform to the requirements of sub-section (1) of section 9.

The amendment to section 13 is intended to remove the great hardship caused to the trade by a rigid application of section 1 which confers on a person the power to reject a bale tendered i fulfilment of contract ~~if~~ if it not marked as required by law. Und this section, even minor technical faults in marking have been made a ground for rejection of the bale. ~~Under~~ By the present amendment, only bales not bearing the special mark prescribed for a factory under section 4 can be rejected.

exploitation and employment in unhealthy and dangerous condition, in power factories not subject at present to the Factories Act, by bringing all such factories within the scope of the Act. It may be mentioned in this connection that the Indian Act has been suitably amended to bring all power factories employing 10 or more workers within the purview of the Act.

A Bill to amend the Mysore Factories Act, 1936.

Whereas it is expedient to amend the Mysore Factories Act, 1936;

It is hereby enacted as follows :—

Short title.

1. This Act may be called the Mysore Factories (amendment) Act, 194 .

Amendment of section 2, Act I of 1936.

2. For clause (j) of section 2 of the Mysore Factories Act, 1936 (hereinafter referred to as the said Act), the following clause shall be substituted, namely :—

"(j) 'factory' means any premises including the precincts thereof wherein 10 or more workers are working or were working on any day of the preceding 12 months, and in any part of which a manufacturing process is being carried on with the aid of power or is ordinarily so carried on,

but does not include a Mine subject to the operation of the Mysore Mines Act, 1906;"

Amendment of section 5, Act I of 1936.

3. (a) For sub-section (1) of section 5 of the said Act, the following sub-section shall be substituted, namely :—

"(1) Notwithstanding anything contained in clause (j) of section 2, the Government may, by notification in the official Gazette declare any premises whereon or within the precincts whereof a manufacturing process is carried on, whether with or without the aid of power, and whereon or within the precincts whereof, less than 10 workers are employed, to be a factory for all or any of the purposes of this Act."

(b) Sub-section (3) of section 5 of the Act, shall be omitted.

2. STATEMENT OF PRINCIPLES OF THE BILL TO AMEND THE COTTON GINNING AND PRESSING FACTORIES ACT, 1929.

The Cotton Ginning and Pressing Factories Act was assed in 1929 on the lines of the corresponding British ndian Act of 1925. In British India, as a result of the ecommendations of the Indian Central Cotton Committee, ertain amendments were made in 1939. The present Bill eeks to incorporate them in the Mysore Act.

The amendment proposed to section 9 is intended to eet complaints that in certain cotton ginning and ressing factories, the construction of which was comenced or completed before the Act came into operation, ditions or alterations are made which are not in ccordance with the prescribed specifications. By this mendment, the factory owner making alterations or additions to his factory has to conform to the requirements of sub-section (1) of section 9.

WHEREAS it is expedient further to amend the Mysc Insolvency Act, 1925; It is hereby enacted as follows:

The Act may be called the Mysore Insolven (amendment) Act, 194

2. In section 53 of the Mysore Insolvency A (hereinafter referred to as the said Act), after the wor "transferor is adjudged insolvent" the words "on a pe tion presented" shall be inserted

3. After section 59 of the said Act, the followi section shall be inserted, namely

'59-A. (1) The Court may, on the application the receiver or any creditor who has proved his debt, at an time after an order of adjudication has been made, summc before it in the prescribed manner any person known c suspected to have in his possession any property belon ing to the insolvent, or supposed to be indebted to th insolvent or any person whom the Court may deem cap ble of giving information respecting the insolvent or h dealings or property, and the Court may require any suc person to produce any documents in his custody or pow relating to the insolvent or to his dealings or property.

(2) If any person so summoned, after having bee tendered a reasonable sum, refuses to come before th Court at the time appointed, or refuses to produce an such document, having no lawful impediment made know to and allowed by the Court, the Court may, by warrant, cause him to be apprehended and brought up for

The amendment to section 13 is intended to remove the great hardship caused to the trade by a rigid application of section 13 which confers on a person the power to reject a bale tendered in fulfilment of contract if it is not marked as required by law. Under this section, even minor technical faults in marking have been made a ground for rejection of the bale. By the present amendment, only bales not bearing the special mark prescribed for a factory under section 4 can be rejected.

A Bill to Amend the Cotton Ginning and Pressing Factories Act, 1929.

WHEREAS it is expedient to amend the Cotton Ginning and Pressing Factories Act, 1929, for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. This Act may be called the Cotton Ginning and Pressing Factories (amendment) Act, 194

2. In section 9 of the Cotton Ginning and Pressing Factories Act, 1929 (hereinafter referred to as the said Act), Amendment of section Act VI of

(*a*) after sub-section (1), the following sub-section shall be inserted, namely:—

"(1A) In any cotton ginning factory, whether erected before or after the commencement of this Act—

(*a*) no structural alterations or additions, the construction of which commenced after the 25th day of May 1941 shall be made so as to minimise the degree of compliance of the factory as a whole with the requirements set forth in clauses (*a*) and (*b*) of sub-section (1), and

(*b*) every structural additions (whether actually attached to any existing structure in the factory or not), the construction of which commenced after the last mentioned date, shall be constructed in accordance with plans and specifications approved by the prescribed authority:

Provided that nothing in this sub-section shall apply to any factory in which, after any alterations or additions have been made, only roller gins are used where the number of such gins is not more than four";

(*b*) in clause (*a*) of sub-section (4) after the word, and brackets "sub-section (1)" the word, letter figure and brackets "sub-section 1A)" shall be inserted.

3. (1) Section 13 of the said Act shall be renumbered as sub-section (1) of section 13, and in the said section as so numbered— Amendment of section 13, Act VI of 1929.

(*a*) for the words and figure "in accordance with section 4" the words and figure "with the mark prescribed under section 4 for the factory in which they were pressed" shall be substituted;

(*b*) the proviso shall be omitted.

(2) To the said section as so renumbered, the following sub-section shall be added, namely:—

"(2) Any bale marked in accordance with the provisions of section 4 shall, within the meaning of the Indian Evidence Act, 1872, as in

force in Mysore, be presumed for all purposes as between the parties to a contract for the purchase of baled cotton, to have been so marked before leaving the factory in which it was pressed."

13. STATEMENT OF PRINCIPLES OF THE BILL TO FURTHER AMEND THE WORKMEN'S COMPENSATION ACT, 1928.

The Mysore Workmen's Compensation Act, 1928, has been modelled very largely on the corresponding British Indian Act of 1923. Amendments made to the British Indian Act, from time to time, have been considered and where necessary, adopted in Mysore

In 1937, 1938 and 1939 a number of amendments was made in British India. The present Bill seeks to incorporate these amendments in the Mysore Act. These amendments are intended to deal with a number of ambiguities and minor defects which have come to light in recent years in the course of the administration of the

NOTIFICATION.

No. Rl. 917, *dated Bangalore,*
the 10*th November* 1941.

Under the provisions of rule 36 of the Mysore Legislative Rules, 1941, the Dewan has been pleased to order the publication in the Gazette of the accompanying bill to amend the Cotton Ginning and Pressing Factories Act, 1929, together with the statement of objects and reasons.

By Order,

H. V. NARAYANA RAO,
Secretary to Government,
Law Department.

STATEMENT OF OBJECTS AND REASONS OF THE BILL TO AMEND THE COTTON GINNING AND PRESSING FACTORIES ACT, 1929.

The Cotton Ginning and Pressing Factories Act was passed in 1929 on the lines of the corresponding British Indian Act of 1925. In British India, as a result of the recommendations of the Indian Central Cotton Committee, certain amendments were made in 1939. The present Bill seeks to incorporate them in the Mysore Act.

The amendment proposed to section 9 is intended to meet complaints that in certain cotton ginning and pressing factories, the construction of which was commenced or completed before the Act came into operation, additions or alterations are made which are not in accordance with the prescribed specifications. By this amendment, the factory owner making alterations or additions to his factory has to conform to the requirements of sub-section (1) of section 9.

The amendment to section 13 is intended to remove the great hardship caused to the trade by a rigid application of section 13 which confers on a person the power to reject a bale tendered in fulfilment of contract if it is not

marked as required by law. Under this section, even minor technical faults in marking have been made a ground for rejection of the bale. By the present amendment, only bales not bearing the special mark prescribed for a factory under section 4 can be rejected.

A Bill to Amend the Cotton Ginning and Pressing Factories Act, 1929.

WHEREAS it is expedient to amend the Cotton Ginning and Pressing Factories Act, 1929, for the purposes hereinafter appearing;

It is hereby enacted as follows:—

Short title.

1. This Act may be called the Cotton Ginning and Pressing Factories (amendment) Act, 194

Amendment of section 9, Act VI of 1929

2. In section 9 of the Cotton Ginning and Pressing Factories Act, 1929 (hereinafter referred to as the said Act),—

(*a*) after sub-section (1), the following sub-section shall be inserted, namely:—

"(1A) In any cotton ginning factory, whether erected before or after the commencement of this Act—

no structural alterations or additions, the construction of which commenced after the 25th day of May 1941 shall be made so as to minimise the degree of compliance of the factory as a whole with the requirements set forth in clauses (*a*) and (*b*) of sub-section (1), and

every structural additions (whether actually attached to any existing structure in the factory or not), the construction of which commenced after the last mentioned date, shall be constructed in accordance with plans and specifications approved by the prescribed authority:

Provided that nothing in this sub-section shall apply to any factory in which, after any alterations or additions have been made, only roller gins are used where the number of such gins is not more than four"

(*b*) in clause (*a*) of sub-section (4) after the word, figure and brackets "sub-section (1)" the word, letter figure and brackets "sub-section (1A)" shall be inserted.

Amendment of section 13, Act VI of 1929.

3. (1) Section 13 of the said Act shall be renumbered as sub-section (1) of section 13, and in the said section as so numbered—

(*a*) for the words and figure "in accordance with section 4" the words and figure "with the mark prescribed under section 4 for the factory in which they were pressed" shall be substituted;

(*b*) the proviso shall be omitted.

(2) To the said section as so renumbered, the following sub-section shall be added, namely :—

"(2) Any bale marked in accordance with the provisions of section 4 shall, within the meaning of the Indian Evidence Act, 1872, as in force in Mysore, be presumed for all purposes as between the parties to a contract for the purchase of baled cotton, to have been so marked before leaving the factory in which it was pressed."

REGULATION VI OF 1929.

(Received the assent of His Highness the Maharaja on the Eighth Day of July 1929.)

A Regulation to provide for the better regulation of Cotton Ginning and Cotton Pressing Factories.

NOTIFICATION.

Order No. P. 521—Legis 5-29-1, dated Bangalore, 22nd July 1929.

Ordered that the accompanying Regulation to provide for the better regulation of Cotton Ginning and Cotton Pressing Factories which received the assent of His Highness the Maharaja, on the eighth day of July 1929, be published as Regulation No. VI of 1929, in the *Mysore Gazette* for general information.

P. MAHADEVAYYA,
Secretary to Government,
Law Department.

REGULATION VI OF 1929.

(*Received the assent of His Highness the Maharaja on the Eighth Day of July 1929.*)

A Regulation to provide for the better regulation of Cotton Ginning and Cotton Pressing Factories.

Whereas it is expedient to provide for the better regulation of cotton ginning and cotton pressing factories; It is hereby enacted as follows:—

Short title, extent and commencement.

1. (1) This Regulation may be called the Cotton Ginning and Pressing Factories Regulation, 1929.

(2) It extends to the whole of Mysore.

(3) It shall come into force on such date as the Government may, by notification in the *Official Gazette*, appoint.

Definitions.

2. In this Regulation, unless there is anything repugnant in the subject or context.

(*a*) "bale" means any pressed package of cotton of whatever size or density;

(*b*) "cotton" means ginned or unginned cotton or cotton waste;

(*c*) "cotton ginning factory" means any place where cotton is ginned or where cotton fibre is separated from cotton seed by any process whatever involving the use of steam, water or other mechanical power or of electrical power;

(*d*) "cotton pressing factory" means any factory as defined in the Mysore Factories Regulation, No. III of 1914, in which cotton is pressed into bales;

(*e*) "cotton waste" means droppings, strippings, fly and other waste products of a cotton mill or of a cotton ginning factory or of a cotton pressing factory, but does not include yarn waste;

(*f*) "occupier" includes a managing agent or other person authorised to represent the occupier;

(*g*) "prescribed" means prescribed by or under rules made under this Regulation.

Maintenance of registers.

3. (1) The owner of every cotton ginning factory shall cause to be maintained at the factory in such form if any, as may be prescribed, a ginning register containing a record of all cotton ginned in the factory and of the names of the persons for whom and the dates on which the cotton has been ginned and of the amount ginned for each person.

(2) The owner of every cotton pressing factory shall cause to be maintained at the factory in such form if any, as may be prescribed, a press register containing a daily record of the number of bales pressed in the factory, the serial number of each bale, and the name of the person for whom it has been pressed.

(3) The owner or the person in charge of a cotton ginning or cotton pressing factory shall be bound to produce any ginning register or press register maintained under this section or to furnish a copy of any entry therein certified as correct by the owner or person in charge of the factory, when required to do so by any person appointed by the Government in this behalf.

(4) No register required to be maintained by this section shall be destroyed until after the expiration of three years from the date of the last entry therein.

(*a*) in any factory any register required by this section to be maintained is not maintained or is maintained in any form other than the form, if any, prescribed for the purpose, or

(*b*) any entry in any such register is proved to be false in any material particular, or

(*c*) any such register is destroyed before the expiration of the period referred to in sub-section (4),

the owner of the factory shall be punished with fine which may extend to fifty rupees or, if he has previously been convicted of any offence under this sub-section, to five hundred rupees.

(6) If the owner or the person in charge of any factory fails to produce any register, or to furnish a certified copy of any entry, when required to do so under sub-section (3), or furnishes a certified copy of an entry knowing or having reason to believe such copy to be false, he shall be punished with fine which may extend to fifty rupees, or, if he has previously been convicted of any offence under this sub-section, to five hundred rupees.

Marki bales.

4. (1) The owner of every cotton pressing factory shall cause every bale pressed in the factory to be marked in such manner as may be prescribed, before it is removed from the press-house, with a serial number and with the mark prescribed for the factory.

(2) If any bale is removed from the press-house of any cotton pressing factory without having been marked as required by sub-section (1), the owner of the factory shall be punished with fine which may extend to fifty rupees.

Retur

5. (1) The owner of every cotton pressing factory shall submit to the prescribed authority, within such time and in such form as may be prescribed, weekly returns showing the total number of bales of cotton pressed during the preceding week and from the commencement of the season to the end of that week, and the approximate average net weight of the bales pressed in that week.

(2) The prescribed authority shall compile from the weekly returns and shall publish a statement showing the total number of bales pressed in Mysore during the week and from the commencement of the season to the end of the week to which the returns relate;

Provided that the number of bales pressed in any individual factory shall not be published

(3) If default is made in submitting any return as required by sub-section (1), the owner of the factory shall be punished with fine which may extend to fifty rupees.

(4) Where the owner of a cotton pressing factory has notified to the prescribed authority that the work of pressing bales in that factory has been suspended, it shall not be necessary for the owner to submit returns under sub-section (1) until such work has been resumed.

Explanation.—In this section "season" means the period notified in this behalf by the Government in the *Official Gazette.*

6. (1) No scales or weights shall be used in any cotton ginning or cotton pressing factory other than the scales or weights, if any, prescribed by the Government as standard for the district in which the factory is situated.

(2) If in any factory any scale or weight is used in contravention of the provisions of sub-section (1), the owner of the factory shall be punished with fine which may extend to fifty rupees or, if he has been previously convicted of any offence under this sub-section, to five hundred rupees.

7. (1) Where the owner of a cotton ginning or pressing factory has leased the factory for a period of not less than one month, in the case of a cotton ginning factory or three months in the case of a cotton pressing factory and the lessor retains no interest in the management or profits of the factory and notice of the lease has been given by the lessor and the lessee to the prescribed authority, the lessee shall be deemed to be the owner of the factory, from the date of the notice and for the period of the continuance of the lease, for the purposes of section 3 in respect of the registers maintained or to be maintained from that date and for that period, and for the purposes of sections 4, 5 and 6.

(2) On the termination of the lease, the lessee shall hand over to the lessor the registers maintained under section 3, and the lessor shall forthwith report to the prescribed authority any default of the lessee in complying with the provisions of this sub-section or in maintaining the registers in accordance with the provisions of section 3.

(3) If default is made in handing over any registers or making any report as required by this section, the lessor, or the lessee, as the case may be, shall be punished with fine which may extend to fifty rupees.

8. (1) On a transfer of the ownership of a cotton ginning or pressing factory, the transferrer shall hand over to the transferee the registers maintained under section 3, and the transferee shall forthwith report to the prescribed authority any default of the transferrer in complying with the provisions of this sub-section or in maintaining the registers in accordance with the provisions of section 3. Liability on transfer of ownership.

(2) If default is made in handing over any register or making any report as required by sub-section (1), the transferrer or the transferee, as the case may be, shall be punished with fine which may extend to fifty rupees.

9. (1) In the case of cotton ginning factories the construction of which is commenced after the commencement of this Regulation— Structu requirei for fact

(*a*) gin-houses shall be provided with separate entrances and exits for the bringing in of unginned and the taking out of ginned cotton respectively, and

(*b*) the factories shall be constructed in accordance with plans and specifications approved by the prescribed authority;

Provided that nothing in this sub-section shall apply to any factory in which only roller gins are used where the number of such gins is not more than four.

(2) Within such period after the commencement of this Regulation as may be prescribed, the owner of every cotton pressing factory in which cotton is handled on the ground floor shall cause the press-house to be paved or provided with other suitable flooring to the satisfaction of the prescribed authority.

(3) If the owner of any factory fails to comply with any provision of this section which is applicable to the factory, he shall be punished with fine which may extend to one hundred rupees.

(4) (*a*) Where the owner of a factory has been convicted under sub-section (3), the prescribed authority may serve on the owner of the factory an order in writing directing that such alterations shall be made in the factory, before a specified date, as in the opinion of the said authority are necessary to secure compliance with the provisions of sub-section (1) or sub-section (2), as the case may be.

(*b*) Where the alterations are not made in accordance with the order served under clause (*a*) of this sub-section, the prescribed authority may serve on the owner and on the occupier, if any, of the factory, an order in

writing, directing that the work of ginning or pressing cotton in such factory, shall be suspended until the alterations have been made in accordance with the order served under clause (*a*) of this sub-section and the owner and the occupier, if any, shall be jointly and severally liable to fine which may extend to fifty rupees for each day on which cotton is ginned or pressed in the factory in contravention of the order served under this clause.

10. Where the person guilty of an offence under this Regulation is a company, every Director, Manager, Secretary and other officer thereof who is knowingly a party to the default shall also be guilty of the like offence and liable to the like punishment.

11. (1) No prosecution under this Regulation shall be instituted except by or with the previous sanction of the District Magistrate.

(2) No offence punishable under this Regulation shall be tried by any court inferior to that of a Magistrate of the first class.

12. The Government may, by notification in the *Official Gazette*, make rules, consistent with this Regulation, to provide for all or any of the following matters, namely

(*j*) any other matter which is to be or may be prescribed or for which provision is necessary in order to carry out the purposes of this Regulation.

Power to reject unmarked bales in fulfilment of contracts.

13. After the expiration of one year from the commencement of this Regulation, any person who has made a contract for the purchsae of baled cotton may require that no bales other than bales marked in accordance with section 4 shall be supplied in fulfilment ot such contract, and, if he does so require, no bale not so marked shall be tenderable in fulfilment of the contract.

Provided that nothing in this section shall apply to a contract for the sale and delivery of cotton grown before, or less than one year after, the commencement of this Regulation.

Protection for acts done under Regulation.

14. No suit or other legal proceeding shall be instituted against any person in respect of anything which is in good faith done or intended to be done under this Regulation.

MIRZA M. ISMAIL,

Deputy

NOTIFICATION.

No. Rl. 917, *dated Bangalore, the* 10*th November* 1941.

Under the provisions of rule 36 of the Mysore Legislative Rules, 1941, the Dewan has been pleased to order the publication in the Gazette of the accompanying bill to amend the Cotton Ginning and Pressing Factories Act, 1929, together with the statement of objects and reasons.

By Order,

H. V. NARAYANA RAO,
Secretary to Government,
Law Department.

STATEMENT OF OBJECTS AND REASONS OF THE BILL TO AMEND THE COTTON GINNING AND PRESSING FACTORIES ACT, 1929.

The Cotton Ginning and Pressing Factories Act was passed in 1929 on the lines of the corresponding British Indian Act of 1925. In British India, as a result of the recommendations of the Indian Central Cotton Committee, certain amendments were made in 1939. The present Bill seeks to incorporate them in the Mysore Act.

The amendment proposed to section 9 is intended to meet complaints that in certain cotton ginning and pressing factories, the construction of which was commenced or completed before the Act came into operation, additions or alterations are made which are not in accordance with the prescribed specifications. By this amendment, the factory owner making alterations or additions to his factory has to conform to the requirements of sub-section (1) of section 9.

The amendment to section 13 is intended to remove the great hardship caused to the trade by a rigid application of section 13 which confers on a person the power to reject a bale tendered in fulfilment of contract if it is not

marked as required by law. Under this section, eve minor technical faults in marking have been made ground for rejection of the bale. By the present amend ment, only bales not bearing the special mark prescribe for a factory under section 4 can be rejected.

A Bill to Amend the Cotton Ginning and Pressing Factories Act, 1929.

WHEREAS it is expedient to amend the Cotton Ginning and Pressing Factories Act, 1929, for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. This Act may be called the Cotton Ginning and Pressing Factories (amendment) Act, 194

2. In section 9 of the Cotton Ginning and Pressing Factories Act, 1929 (hereinafter referred to as the said Act);—

(*a*) after ... ...on (1), the following sub-section shall be inserted, namely:—

"(1A) In any cotton ginning factory, whether erected before or after the commencement of this Act—

(*a*) no structural alterations or additions, the construction of which commenced after the 25th day of May 1941 shall be made so as to minimise the degree of compliance of the factory as a whole with the requirements set forth in clauses (*a*) and (*b*) of sub-section (1), and

(*b*) every structural additions (whether actually attached to any existing structure in the factory or not), the construction of which commenced after the last mentioned date, shall be constructed in accordance with plans and specifications approved by the prescribed authority:

Provided that nothing in this sub-section shall apply to any factory in which, after any alterations or additions have been made, only roller gins are used where the number of such gins is not more than four"

(*b*) in clause (*a*) of sub-section (4) after the word, figure and brackets "sub-section (1)" the word, letter figure and brackets "sub-section (1A)" shall be inserted.

Amendment of section 13, Act VI of 1929.

3. (1) Section 13 of the said Act shall be renumbered as sub-section (1) of section 13, and in the said section as so numbered—

(*a*) for the words and figure "in accordance with section 4" the words and figure "with the mark prescribed under section 4 for the factory in which they were pressed" shall be substituted;

(*b*) the proviso shall be omitted.

(2) To the said section as so renumbered, the following sub-section shall be added, namely :—

"(2) Any bale marked in accordance with the provisions of section 4 shall, within the meaning of the Indian Evidence Act, 1872, as in force in Mysore, be presumed for all purposes as between the parties to a contract for the purchase of baled cotton, to have been so marked before leaving the factory in which it was pressed."

Bill as passed by the Legislative Council

D. H. Chandrashekharaiya

President

26/12/41

Legislative Council

G. R. S. VI.—s-III/14]

DRAFT.

SUBJECT.....

.....

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT,

, *the*.....*191*

Date of issue.....

Signed by.....

May this be—

(i) Printed?

(ii) Treated as a standing order?

(iii) Published in the "Gazette" English part?

(iv) Translated?

(v) Placed at the disposal of the Press?

(vi) Published in the "Gazette" Kannada part?

Section. Legis
File No. 37-4
Serial No. 1

Proceedings of the Government of H. H. the Maharaja of Mysore.

Order No. R. L. 13. 41.

Ordered that the accompanying Act to amend the Cotton Ginning & Pressing Factories Act, 1929 which received the assent of His Highness the Maharaja, on the 6th day of January 1942 be published as ~~Regulation~~ Act No. XI of 1942, in the *Mysore Gazette* for general information.

27.1.42

Secretary to Government.
Law Department

To

The Compiler, *Mysore Gazette*, for publication in Part ~~III~~ IV of the Gazette, in English and Kannada and for supply of .....spare copies in English, and .....~~spare copies in Kannada to~~ this office, and.....spare copies in English and.....spare copies in Kannada to the Curator, Government Central Book Depot, Bangalore. Proofs should be sent to this office for approval before publication.

Spare copies as per standing orders

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE. 66

No. 917 RL General and Revenue Secretariat,

Dated Bangalore, 10th November 1941.

NOTIFICATION.

Under the provisions of rule 36 of the Mysore Legislative Rules, 1941, the Dewan has been pleased to order the publication in the gazette of the accompanying bill to the Cotton Ginning and Pressing Factories ~~Act~~ Bill, 1929, together with the statement of objects and reasons.

By order,

Sd. H.V. Narayana Rao

Secretary to Government,
Law Department.

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette and supply of 350 copies to the Secretari

Memo No. 918 RL Dated, Bangalore, 8th November 19

Copy of the above is forwarded with compliments to the Secretary, Legislative Council, for information.

By Order,

For Secretary to Government,
Law Department.

NOTIFICATION.

No. Rl. 917, *dated Bangalore, the* 10*th November* 1941.

Under the provisions of rule 36 of the Mysore Legislative Rules, 1941, the Dewan has been pleased to order the publication in the Gazette of the accompanying bill to amend the Cotton Ginning and Pressing Factories Act, 1929, together with the statement of objects and reasons.

By Order,

H. V. NARAYANA RAO,
Secretary to Government,
Law Department.

STATEMENT OF OBJECTS AND REASONS OF THE BILL TO AMEND THE COTTON GINNING AND PRESSING FACTORIES ACT, 1929.

The Cotton Ginning and Pressing Factories Act was passed in 1929 on the lines of the corresponding British Indian Act of 1925. In British India, as a result of the recommendations of the Indian Central Cotton Committee, certain amendments were made in 1939. The present Bill seeks to incorporate them in the Mysore Act.

The amendment proposed to section 9 is intended to meet complaints that in certain cotton ginning and pressing factories, the construction of which was commenced or completed before the Act came into operation, additions or alterations are made which are not in accordance with the prescribed specifications. By this amendment, the factory owner making alterations or additions to his factory has to conform to the requirements of sub-section (1) of section 9.

The amendment to section 13 is intended to remove the great hardship caused to the trade by a rigid application of section 13 which confers on a person the power to reject a bale tendered in fulfilment of contract if it is not

marked as required by law. Under this section, ev minor technical faults in marking have been made ground for rejection of the bale. By the present amen ment, only bales not bearing the special mark prescrib for a factory under section 4 can be rejected

Act no XI of 1942

to Amend the Cotton Ginning and Pressing Factories Act, 1929.

HEREAS it is expedient to amend the Cott ; and Pressing Factories Act, 1929, for the pu ereinafter appearing;

s hereby enacted as follows:—

This Act may be called the Cotton Ginning a ; Factories (amendment) Act, 1942.

In section 9 of the Cotton Ginning and Pressi s Act, 1929 (hereinafter referred to as the sa

a) after sub-section (1), the following sub-sectio inserted, namely:—

'(1A) In any cotton ginning factory, wheth erected before or after the commencement this Act—

a) no structural alterations or additions, the construction of which commenced after the 25th day of May 1941 shall be made so as to minimise the degree of compliance of the factory as a whole with the requirements set forth

(*b*) in clause (*a*) of sub-section (4) after the word, figure and brackets "sub-section (1)" the word, letter figure and brackets "sub-section (1A)" shall be inserted.

Amendment of section 13, Act VI of 1929.

3. (1) Section 13 of the said Act shall be renumbered as sub-section (1) of section 13, and in the said section as so numbered—

(*a*) for the words and figure "in accordance with section 4" the words and figure "with the mark prescribed under section 4 for the factory in which they were pressed" shall be substituted;

(*b*) the proviso shall be omitted.

(2) To the said section as so renumbered, the following sub-section shall be added, namely :—

"(2) Any bale marked in accordance with the provisions of section 4 shall, within the meaning of the Indian Evidence Act, 1872, as in force in Mysore, be presumed for all purposes as between the parties to a contract for the purchase of baled cotton, to have been so marked before leaving the factory in which it was pressed."

NOTIFICATION.

Order No. R. L. 1321—*Legis.* 42-41-1, *dated Bangalore, the 27th January* 1942.

Ordered that the accompanying Act to amend the Cotton Ginning and Pressing Factories Act, 1929, which received the assent of His Highness the Maharaja, on the 6th day of January 1942, be published as Act No. XI of 1942 in the *Mysore Gazette* for general information.

H. V. NARAYANA RAO,
Secretary to Government,
Law Department.

ACT No. XI OF 1942.

THE COTTON GINNING AND PRESSING FACTORIES (AMENDMENT) ACT, 1942.

An Act to amend the Cotton Ginning and Pressing Factories Act, 1929.

(Received the assent of His Highness the Maharaja on the 6th January 1942.)

WHEREAS it is expedient to amend the Cotton Ginning and Pressing Factories Act, 1929, for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. This Act may be called the Cotton Ginning and Pressing Factories (amendment) Act, 1942. **Short title**

2. In section 9 of the Cotton Ginning and Pressing Factories Act, 1929 (hereinafter referred to as the said Act)— **Amendment of section 9, Act VI of 1929**

(*a*) after sub-section (1), the following sub-section shall be inserted, namely:—

"(1A) In any cotton ginning factory, whether erected before or after the commencement of this Act—

(*a*) no structural alterations or additions, the construction of which commenced after the

25th day of May 1911 shall be made so as to ninimise the degree of compliance of the factory as a whole with the requirements set forth n clauses (*a*) and (*b*) of sub-section (1), and very structural additions (whether actually ttached to any existing structure in the actory or not), the construction of which ommenced after the last mentioned date, hall be constructed in accordance with plans and specifications approved by the prescribed authority :

Provided that nothing in this sub-section shall apply to any factory in which, after any alterations or additions have been made, only roller gins are used where the number of such gins is not more than four";

) in clause (*a*) of sub-section (4) after the word, ıd brackets "sub-section (1)" the word, letter, d brackets "sub-section (1A)" shall be inserted.

(1) Section 13 of the said Act shall be red as sub-section (1) of that section and in the ion as so numbered—

) for the words and figure "in accordance tion 4" the words and figure "with the mark d under section 4 for the factory in which they ssed" shall be substituted;

) the proviso shall be omitted

(2) After the said section as so renumbered, the ng sub-section shall be added, namely

"(2) Any bale marked in accordance with the provisions of section 4 shall, within the meaning of the Indian Evidence Act, 1872, as in force in Mysore, be presumed for all purposes as between the parties to a contract for the purchase of baled cotton, to have been so marked before leaving the factory in which it was pressed."

STATEMENT SHOWING THE SECTIONS OF THE MYSORE COTTON, GINNING AN

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No. Of Section.	Text of the Section.	Amendments
9. (1)	In the case of Cotton Ginning Factories the construction of which is commenced after the commencement of this Act -	In Section 9 of Pressing Factor (h[redacted]er r
	(a)Gin-houses shall be provided with separate entrances and exits for the bringing in of unginned and the taking out of ginned cotton respectively, and	(a)after sub-sec sub-section sha
	(b)the factories shall be constructed in accordance with plans and specifications approved by the prescribed authority;	(1 A)In any cott whether erected commencement of
	Provided that nothing in this sub section shall apply to any factory in which only roller gins are used where the number of such gins is not more than four.	(a)no structural tions, the const commenced after .....1940 sh minimise the de the factory as ments set forth of sub-section(1 al addition(whet to any existing or not)the const ed after the las be constructed i and specificatio pres cribed autho
(2)	Within such period after the commencement of this Act as may be prescribed, the owner of every cotton pressing factory in which cotton is handled on the ground floor shall cause the press-house to be paved or provided with other suitable flooring to the satisfaction of the prescribed authority.	
(3)	If the owner of any Factory fails to comply with any provision of this Section which is applicable to the Factory, he shall be punished with fine which may extend to One Hundred Rupees.	Provided that not shall apply to a alteration or add roller gins are u gins is not more
4.(a)	Where the owner of a Factory has been convct-ed under Sub Section (3), the prescribed authority may serve on the owner of the Factory an order in writing directing that such alterations shall be made in the Factory, before a specified date, as in the opinion of the said authority are necessary to secure compliance with the provisions of Sub Section (1)or sub-section (2) as the case may be.	(b)In clause (a)of word, figure and b the word, letter, fi section 1A shall be i

'ORIES ACT PROPOSED AND SECTION AS AMENDED.

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Section as amended.

9. (1)In the case of Cotton Ginning Factories the construction of which is commenced after the commencement of this Act.

(a)Gin houses shall be provided with separate entrances and exits for the bringing in of unginned and taking out of ginned cotton respectively.

(b)the factories shall be constructed in accordan with plans and specifications approved by the prescribed authority;

Provided that nothing in his sub-section shall apply to any Factory in which only roller gin are used where the number of such gins is not more than four.

(1 A)In any cotton ginning factory, whether erected before or after the commencement of this Act.

(a)No structural alterations or additions the construction of which commenced after the .....day of.....1940 shall be made so as to minimise the degree of compliance of the Factory as a whole with the requirements set forth in Clauses (a) and (b) of Sub Section (1), and

(b)every structural addition(whether actually attached to any existing structure in the Factory or not)the construction of whi commenced after the last mentioned date, shall be constructed in accordance with plans and specifications approved by the prescribed authority.

Provided that nothing in this sub section shal apply to any factory in which, after any alter tion or addition has been made, only roller gins are used where the number of such gins is not more than four

(2)Within such period after the commencement of this Act as may be prescribed, the owner of every cotton pressing factory in which cotton is handled on the ground floor shall cause the press-house to be paved or provided with other suitable flooring to the satisfaction of the prescribed authority.

(3)If the owner of any factory fails to comply with any provision of this section which is applicable to the Factory, he shall be punished with fine which may extend to One Hundred Rupees.

(4)Where the owner of a factory has been convicte under sub section(3) the prescribed authority may serve on the owner of the Factory an order in writing directing that such alterations shall be made in the Factory, before a specified date, as in the opinion of the said authority are necessary to secure compliance with the provisions of sub-section (1), sub-section (1 A) or sub-section(2) as the case may be.

No.	Of Section.	Text of the Section.	Amendments Proposed.
13.		After the expiration of one year from the commencement of this Act any person who has made a contract for the purchase of baled cotton may require that no bales other than bales marked in accordance with section 4 shall be supplied in fulfilment of such contract, and if he does so require no bale not so marked shall be tenderable in fulfilment of the contract. Provided that nothing in this section shall apply to a contract for the sale and delivery of cotton ginned before or less than one year after the commencement of this Act.	Section 13 of the said numbered as sub-secti 13 and in the said se (a)for the words and figu with Section 4" the wo "with the mark prescr 4 for the factory in pressed" shall be subs (b)The proviso shall To the said section s the following Sub Sec namely:- "(2)Any bale marked in provisions of Section meaning of Evidence A for all purposes as b to a contract for the cotton, to have been s leaving the Factory pressed".

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13.(1)After the expiration of one year from the commence of the Act any person who has made a contract for the purchase of baled cotton may require that no other than bales marked with the marks prescribed under Section 4 for the factory in which they were pressed shall be supplied in fulfilment of such contract and if he does so require, no bale not so marked shall be tenderable in fulfilment of the contract

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(2)Any bale marked in accordance with the provisions of Section 4 shall, within the meaning of the Evidence Act 1872, be presumed for all purposes as between the parties to a contract for the purchase of baled cotton, to have been so marked before leaving the Factory, in which it was pressed.

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Statement showing Rule 10 of the Rules framed under the Mysore Co
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Rule 10 (Existing) Text of the Rule.	Amendments propos
10. On and after 1st September 1931, every bale of Cotton pressed in a cotton pressing factory shall be marked in the following manner:- (1)The special mark and Serial number shall be in English Figures and letters and shall be clearly decipherable. (2)If the Special Mark and the Serial Number are stencilled in ink, they shall be - stencilled on the lashed side of a bale. (3)The stenciling of the special mark and the serial number on an end Hessian or on unlashed side of a bale, shall not be deemed to fulfil the requirement of this rule. The factory mark ~~should~~ shall be separated from the serial number by a star and the following order shall be observed:- Letter denoting Star:- Number denoting Factory - star numerals denoting cotton year - star running number of bale.	For Rule 10 of the rule shall be subs (10)Every bale of c cotton pressing fac in the following ma (1)The special mark shall be in English and shall be decipl (2)The special mark shall be punched or hoops or stencilled lashed side of the punched and stenci that if stencilled shall not be stenc

Ginning and Cotton Pressing Factories, Amendments proposed

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the following ed:-	10.Every bale of cotton pressed in a cotton pressi Factory shall be marked in the following manne
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the serial number res and letters e.	(2)The special mark and the seri be punched on one or more of the hoops or - - stencilled on the Hessian on the lashed side
the serial number or more of the he Hessian on the or may be both so rovided however, mark and number on an end hessian.	of the bale or may both be so punched and - - stencilled,provided however,that if stencilled such mark and number shall not be stencilled on an end hessian.